

PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

LOS ANGELES DISTRICT

Public Notice/Application No.: 200300276-RRS

Comment Period: June 3, 2004, through July 3, 2004

Project Manager: Robert Smith (213) 452-3419 robert.r.smith@usace.army.mil

Applicant

Mr. Sebastian Gerrato
5802 Brittany Forrest Lane
San Diego, California 92130

Contact

The Huffman-Broadway Group, Inc.
700 Larkspur Landing Circle, Suite 100
Larkspur, California 94939

Location

The proposed G&G Commercial Center Project site is located along Main Street in the City of Ramona, San Diego County, California (at: latitude: 33-01-38, longitude: 116-53-29). Please refer to the attached site location map for further information.

Activity

The applicant has proposed to construct a 5.47 acre commercial development (158,000 square feet of commercial space, 400 parking spaces, and infrastructure) on six adjacent parcels north and south of Main Street between Kalbaugh and Etcheverry Streets. The proposed project would permanently impact 0.32 acre of waters of the United States, all of which is vernal pool wetlands (see attached drawings). For more information see page 3 of this notice.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit will be issued or denied under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344). Comments should be mailed to:

U.S. Army Corps of Engineers, Los Angeles District

Regulatory Branch - San Diego Field Office
ATTN: CESPL-CO--200300276-DPS
16885 W. Bernardo Drive, Suite 300-A
San Diego, California 92127

Alternatively, comments can be sent electronically to: robert.r.smith@usace.army.mil

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency.

Coastal Zone Management- For those projects in or affecting the coastal zone, the Federal Coastal Zone Management Act requires that prior to issuing the Corps authorization for the project, the applicant must obtain concurrence from the California Coastal Commission that the project is consistent with the State's Coastal Zone Management Plan. This project is located outside the coastal zone and preliminary review indicates that it will not affect coastal zone resources. A final determination of whether this project affects coastal zone resources will be made by the Corps, in consultation with the California Coastal Commission, after review of the comments received on this Public Notice.

Cultural Resources- The latest version of the National Register of Historic Places has been consulted and this site is not listed. Further cultural resources investigation may be required in order to ensure compliance with the Nation Historic Preservation Act.

Endangered Species- On June 6, 2000, the U.S. Fish and Wildlife Service (FWS) issued a letter notifying the applicant that the project site contains a vernal pool occupied by the federally-listed endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*). In response to this letter, the applicant's consultants conducted detailed studies of the property. Adult shrimp cultured from soil samples from a pool on the project

site during these studies were conclusively identified as the San Diego fairy shrimp. Furthermore, the proposed site is located within designated critical habitat for this species. Based on this information, the Corps has determined the proposed activity may affect the federally-listed endangered San Diego fairy shrimp, as well as its designated critical habitat. Initiation of formal consultation under Section 7 of the Endangered Species Act has been requested by the Corps.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

The proposed activity, requiring a permit, is to permanently discharge fill into waters of the U.S. associated with the construction of a 5.47 acre commercial development (158,000 square feet of commercial space, 400 parking spaces, and infrastructure). The proposed activity (applicant's preferred alternative) would consist of road crossings and fill for building pads. The proposed discharges would result in permanent fill of 0.32 acre of waters of the United States, all of which is vernal pool wetlands.

Additional Project Information

Baseline Conditions- The project site contains six distinct parcels: four to the north of Main St. and two to the south. The northern parcels (4.16 acres) are bounded by residences and open space to the north and west; and commercial development, Main Street, and open space to the east and south. The southern parcels (1.31 acres) are bounded by commercial development, Main Street, and open space to the north and west; and a trailer lot, residences, and open space to the east and south. The northern parcels support 0.25 acre of wetlands. The southern parcels support 0.07 acre of wetlands. The upland portion of the proposed site contains mostly grassland vegetation and some existing buildings.

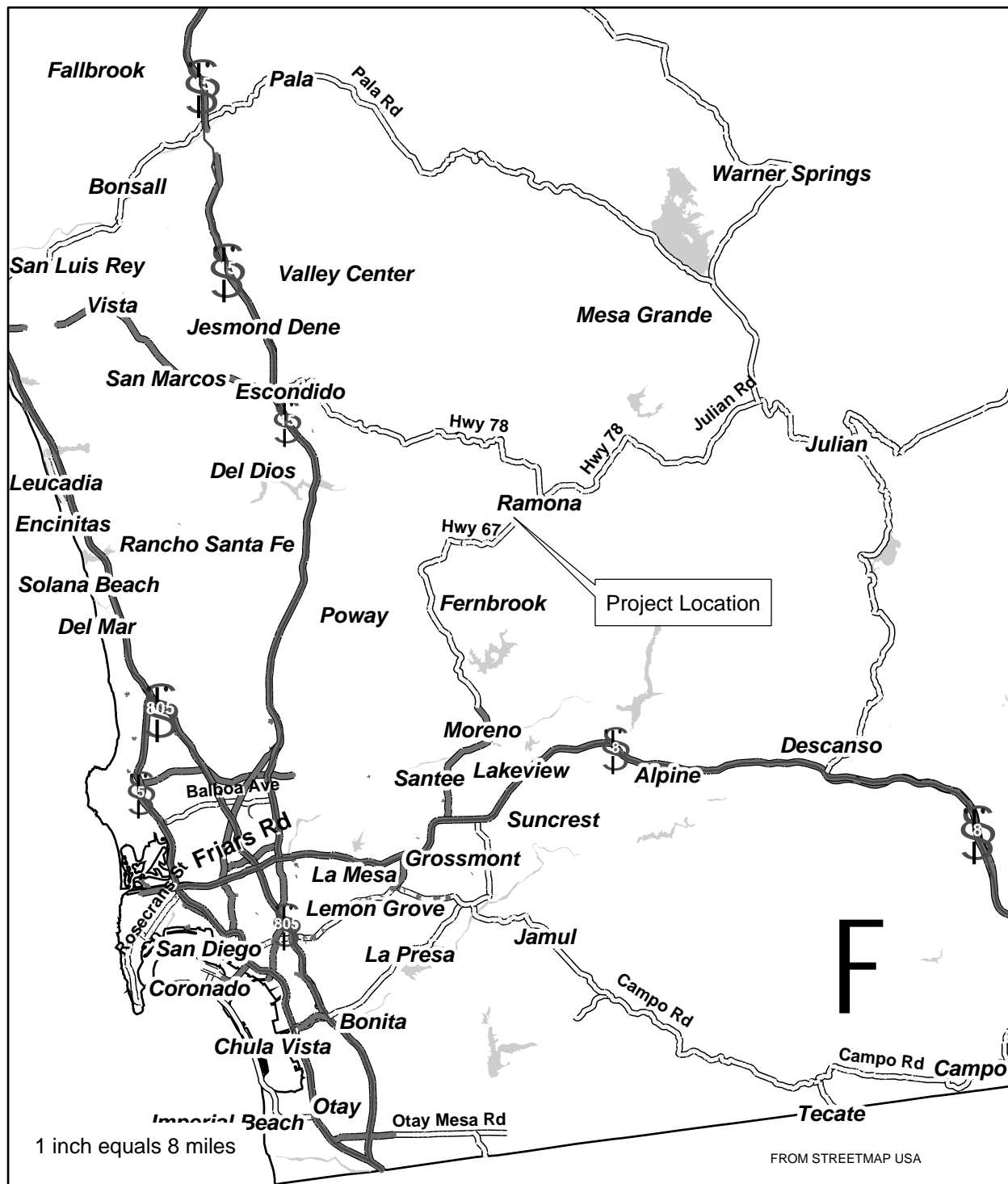
Project Purpose and Need Statement- The Corps has determined the basic purpose of the proposed project is to construct commercial development to meet the public need for goods and services. The proposed project would meet the private need to generate revenue through development of private land. The proposed project is not water dependent. The Corps has determined the overall project purpose is to construct a small commercial development located within central and western San Diego County, California.

Applicant's Preliminary Alternatives Analysis- The applicant's designated agent is preparing an alternatives analysis in accordance with EPA's 404(b)(1) guidelines (40 CFR 230).

Proposed Mitigation- The applicant considers on-site mitigation impractical because the proposed development would occupy the entire project site. Moreover, according to the applicant, on-site mitigation is not desirable from an ecological standpoint due to the project site's urban setting and history of disturbance. As mitigation for proposed impacts, the applicant has proposed to purchase 0.64 acre of existing vernal pool preservation credit at the Ramona Vernal Pool Preserve. In addition, the applicant would fund the restoration and/or creation of 0.32 acre of vernal pool habitat at the same location, including at least 10 years of mitigation monitoring and maintenance. The applicant would also purchase and preserve 1.92 acres of upland grassland habitat which forms the supporting watershed for the vernal pool habitat described above. Endowment funds would be provided to ensure long-term maintenance of these mitigation sites.

Proposed Special Conditions- none at this time.

For additional information please call Robert Smith of my staff at (213) 452-3419. This public notice is issued by the Chief, Regulatory Branch.



PURPOSE:

DATUM: MSL

ADJACENT PROPERTY OWNERS:

- 1.
- 2.
- 3.
- 4.

VICINITY MAP

0 1 2 4 6 8 10 Miles

THE HUFFMAN-BROADWAY GROUP, INC.
700 LARKSPUR LANDING CIRCLE, SUITE 100
LARKSPUR, CA 94939

G&G COMMERCIAL CENTER,
UNNAMED DRAINAGE SWALES/POOLS

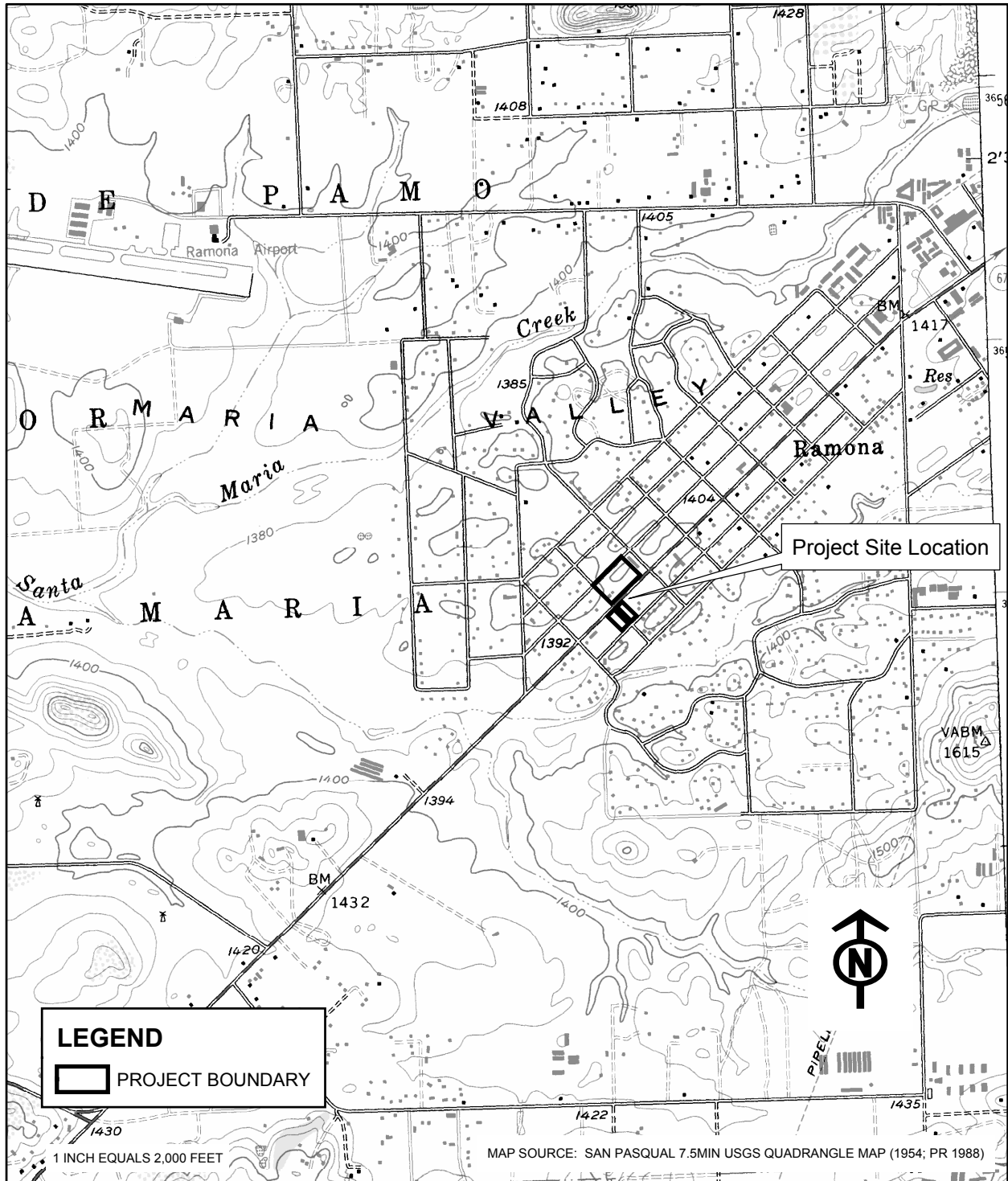
IN: RAMONA

AT:

COUNTY OF: SAN DIEGO STATE: CA

APPLICATION BY:

SHEET 1 OF 4 DATE: 01-09-03



PURPOSE:

DATUM: MSL

ADJACENT PROPERTY OWNERS:

- 1.
- 2.
- 3.
- 4.

PROJECT SITE MAP

0 500 1,000 2,000 Feet

THE HUFFMAN-BROADWAY GROUP, INC.
700 LARKSPUR LANDING CIRCLE, SUITE 100
LARKSPUR, CA 94939

G&G COMMERCIAL CENTER,
UNNAMED DRAINAGE SWALES/POOLS

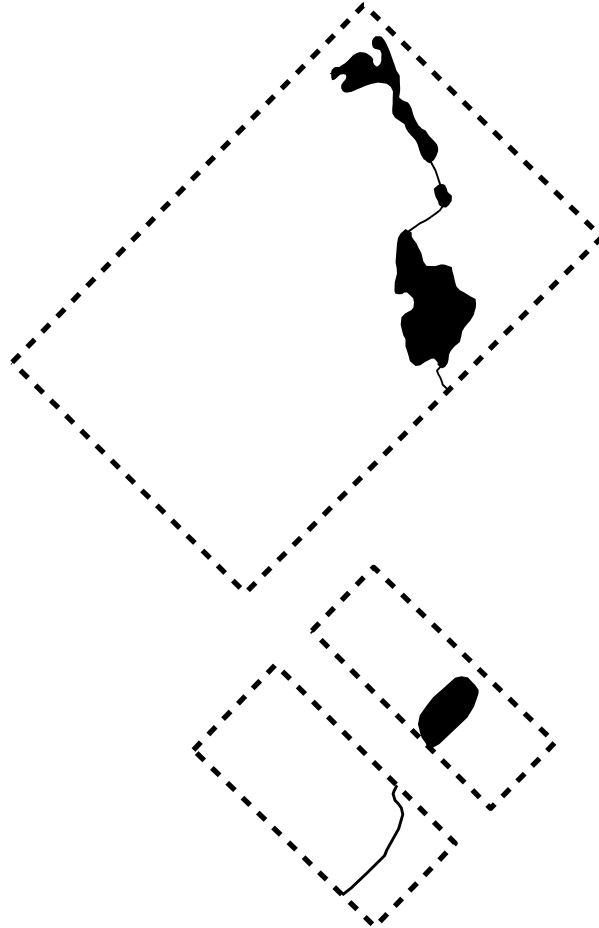
IN: RAMONA

AT:

COUNTY OF: SAN DIEGO STATE: CA

APPLICATION BY:

SHEET 2 OF 4 DATE: 01-09-03



LEGEND

 PROJECT BOUNDARY

 Wetlands and Other Waters of the U.S. (0.32 acres)

1 INCH EQUALS 200 FEET

MAP SOURCE: SAN PASQUAL 7.5MIN USGS QUADRANGLE MAP (1954; PR 1988)

PURPOSE:

DATUM: MSL

ADJACENT PROPERTY OWNERS:

- 1.
- 2.
- 3.
- 4.

WATERS OF THE U.S. ON THE PROJECT SITE

0 50 100 200 Feet

THE HUFFMAN-BROADWAY GROUP, INC.
700 LARKSPUR LANDING CIRCLE, SUITE 100
LARKSPUR, CA 94939

G&G COMMERCIAL CENTER,
UNNAMED DRAINAGE SWALES/POOLS

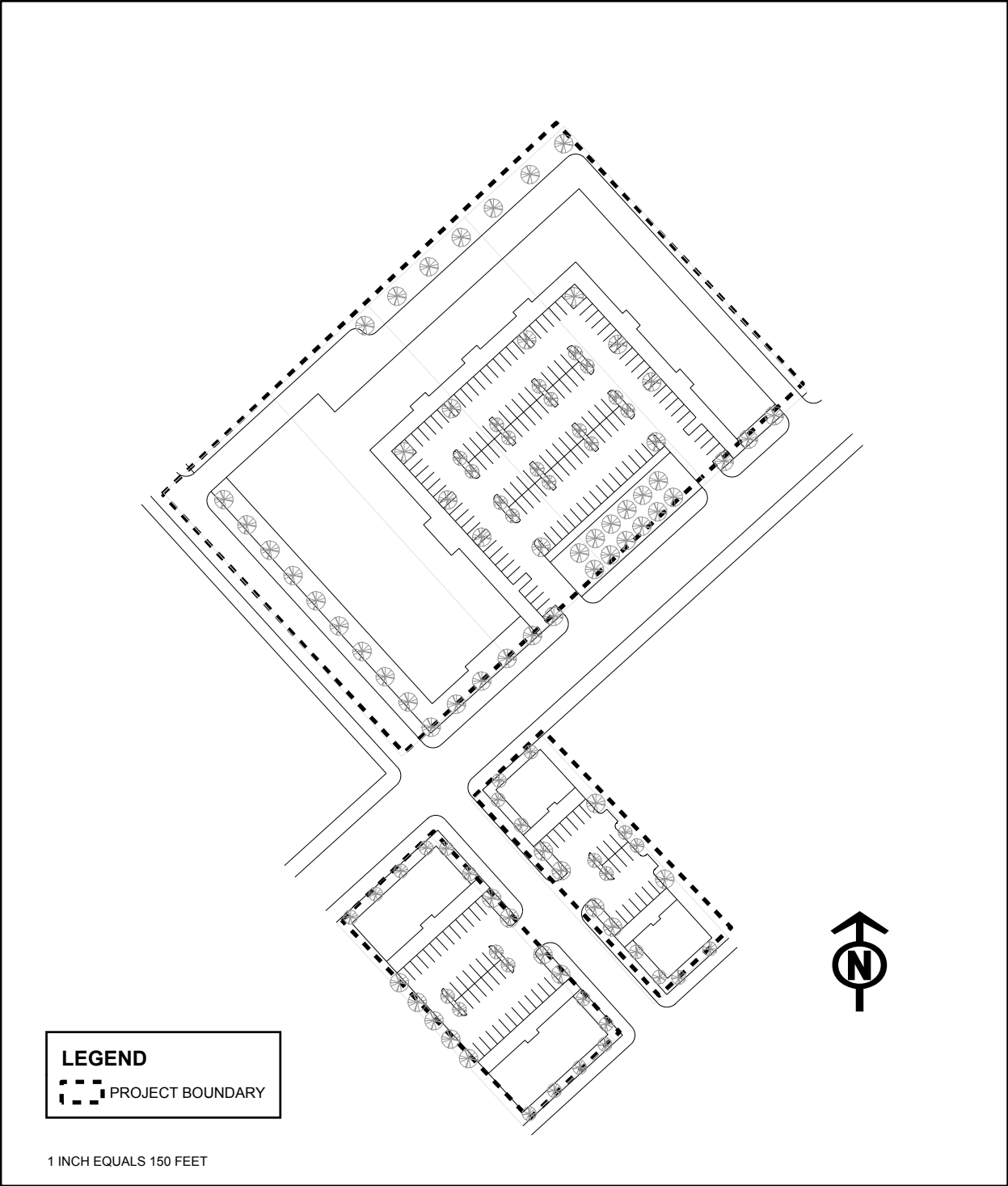
IN: RAMONA

AT:

COUNTY OF: SAN DIEGO STATE: CA

APPLICATION BY:

SHEET 3 OF 4 DATE: 01-09-03



<p>PURPOSE:</p> <p>DATUM: MSL</p> <p>ADJACENT PROPERTY OWNERS:</p> <ol style="list-style-type: none">1.2.3.4.	<p>SITE DEVELOPMENT PLAN</p> <p>0 50 100 200 Feet</p> <p>THE HUFFMAN-BROADWAY GROUP, INC. 700 LARKSPUR LANDING CIRCLE, SUITE 100 LARKSPUR, CA 94939</p>	<p>G&G COMMERCIAL CENTER, UNNAMED DRAINAGE SWALES/POOLS</p> <p>IN: RAMONA AT: COUNTY OF: SAN DIEGO STATE: CA APPLICATION BY:</p> <p>SHEET 4 OF 4 DATE: 01-09-03</p>
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